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Reveo-0056USAACN02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Faris et al. )  
SERIAL NO.: 10/804,559 ) Group Art Unit  
FILING DATE: 3/19/2004 ) 2871  
FOR: Electro-Optical Glazing Structures Having )  
Reflection And Transparent Modes Of ) Examiner  
Operation ) Chowdhury, Tarifur  
Rashid )

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL AND RESPONSE TO OFFICE ACTION

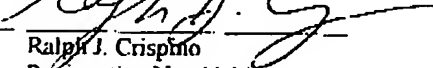
In response to the Office Action in the present application mailed January 6, 2005 whereby claim 101 was rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 2 of U.S. Patent No. 6,710,823, applicants submit herewith a Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent.

Applicant is a Small Entity. The Commissioner is hereby authorized to charge Statutory Disclaimer fee under 37 CFR 1.20(d) for a Small Entity of \$65.00 to Deposit Account No. 501648.

There being no further outstanding issues, applicants respectfully request allowance in the present application.

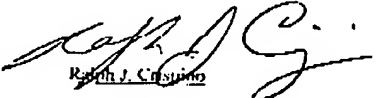
Respectfully submitted,

Date: April 6, 2005

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Certificate of Transmittal under 37 CFR 1.8

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Ralph J. Crispino  
April 6, 2005  
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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
Revea-0056USAACN02

In re Application of: Paris et al.

Application No.: 10/804,559

Filed: 3/19/2004

For: Electro Optical Glazing Structures Having Reflection And Transparent Modes Of Operation

The owner\*, ImconQjaya Sdn Bhd, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,710,823 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

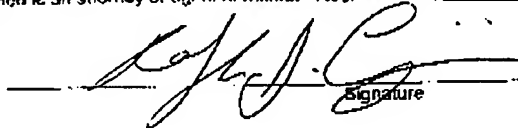
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 46,144

  
Signature

April 6, 2005  
Date

Ralph J. Crispino  
Typed or printed name

(914) 798-7270  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
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